



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/671,397

09/25/2003

Damon V. Danieli

13768.810.58

8072

47973 7590 06/19/2008
WORKMAN NYDEGGER/MICROSOFT
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UT 84111

EXAMINER

TO, BAOTRAN N

ART UNIT

PAPER NUMBER

2135

MAIL DATE

DELIVERY MODE

06/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/671,397	Applicant(s) DANIELI, DAMON V.	
	Examiner Bao tran N. To	Art Unit 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-40 and 44-48 is/are pending in the application.
- 4a) Of the above claim(s) 1-32 and 41-43 (Canceled) is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-40 and 44-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/31/2008 has been entered.

This Office action is responsive to the Applicant's Amendment filed 03/31/2008.

Claims 33, 37-38, and 45 are amended.

Claims 1-32 and 41-43 are previously canceled.

Claim 48 is newly added.

Claims 33-40 and 44-48 are presented for examination.

Response to Arguments

2. Applicant's arguments with respect to claims 33-40 and 44-48 have been considered but are moot in view of the new ground(s) of rejection in view of Sen et al.

Applicant argues that "no peer-to-peer communications are disclosed or suggested by Miura" (Page 10 of Remarks).

Examiner respectfully disagrees with applicant. Miura discloses "As shown in Fig. 2, each of the game machines (or game terminals) 10-1 to 10-6 is interconnected through the transmission line (or communication line) 12" (col. 5, lines 6-9). Furthermore, Miura discloses "the arrangement of

connection between the game machines is not limited to such a ring (or loop) type as in Fig. 2, For example, the connection between the game machines may include various arrangements of connection such as tree-type, star-type and so on as shown in Fig. 9A and 9B" (col. 6, lines 50-55). Therefore, Miura expressly discloses peer-to-peer communications.

Claim Objections

3. Claim 33 is objected to because of the following informalities: "the game server" in line 3 should be --a game server---. In addition, "a game hosting a multiplayer game session" in line 6 should be --- hosting a multiplayer game session by the server---. Appropriate correction is required.

Claim 37 is objected to because of the following informalities: "a game hosting a multiplayer game session" in line 3 should be ---hosting a multiplayer game session by a game server---. Appropriate correction is required.

Claim 38 is objected to because of the following informalities: "a game hosting a multiplayer game session" in line 9 should be --- hosting a multiplayer game session by a game server---. Appropriate correction is required.

Claim 44-47 are objected to because of the following informalities: "A method as recited in Claim 33" in line 1 should be ---The method of Claim 33---. Appropriate correction is required.

Claim 48 is objected to because of the following informalities: "A method as recited in Claim 1" in line 1 should be ---The method of Claim 33---. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2135

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 33, 37-39 and 44-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (U.S. Patent Application Publication 2002/0193162 A1) hereinafter Walker in view of Miura (U.S. Patent 6,322,451 B1) hereinafter Miura and in view of Kim (U.S. Patent Application Publication 2002/0013811 A1) hereinafter Kim, and further in view of Sen et al. (U.S. Patent 6,845,389 B1) hereinafter Sen.

Regarding Claims 33 and 37-38, Walker discloses a method for enabling players in a multiplayer game to communicate with each other in a peer-to-peer network connection, in which communications of the peer-to-peer network connection bypass the game server hosting the multiplayer game, and so as to reduce a workload of the game server hosting the multiplayer game (paragraph 0198), the method comprising of:

a game server hosting a multiplayer game session (Figure 1, element 102, paragraph 0047);

requiring each person requesting to play in the multiplayer game to first enroll in a game service operated the game server (Figure 3, element 312);

authenticating each player attempting to play in the multiplayer game by determining if each corresponding player is enrolled in the game service and checking credentials of each corresponding player attempting to play in the multiplayer game to verify that each corresponding player is authenticated by the game server, so that only persons who have enrolled in the game service and that have approved credentials are allowed to access the multiplayer game session as a player, a first player that is authenticated with the game server

and that has accessed the multiplayer game, at least one other player that is both authenticated and that is currently accessing the multiplayer game session (Figure 3, elements 308 and 310, paragraph 0111).

Walker does not disclose “providing a list identifying at least one other player that is enabled to communicate with the first player in a peer-to-peer network connection.”

However Miura explicitly discloses providing a list identifying at least one other player that is enabled to communicate with the first player in a peer-to-peer network connection (Figures 1, 2 and 9B, Abstract, and col. 3, lines 53-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Miura’s invention within Walker to include providing a list identifying at least one other player that is enabled to communicate with the first player in a peer-to-peer network connection. One of ordinary skill in the art would have been motivated to do this because it would allow the player to select a desired player among other players so that the player can enjoy a fighting with the selected player in a common game space (col. 1, lines 53-57).

Walker and Miura disclose the limitations of Claim 33 above. Furthermore, Walker and Miura disclose receiving a request from the first player to selecting a second player from the list which lists said at least one other player that is both authenticated with the game server and that is currently accessing the multiplayer game session, wherein the request from the first player is a request from the first player for communication information corresponding to the second player and that is required establish the peer-to-peer connection (Figure 3, elements 308 and 310, paragraph 0111 and Miura, Figure 5, col. 5, lines 53-55).

Walker and Miura do not disclose “a request that includes at least an IP address of the second player, in response to the request, transmitting the communication information comprising at least the IP address corresponding the second player from the game server to the first player.”

However, Kim explicitly discloses a request that includes at least an IP address of the second player, in response to the request, transmitting the communication information comprising at least the IP address corresponding the second player from the game server to the first player (Figure 7, paragraph 0038).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Kim’s invention within Walker and Miura to include a request that includes at least an IP address of the second player, in response to the request, transmitting the communication information comprising at least the IP address corresponding the second player from the game server to the first player. One of ordinary skill in the art would have been motivated to do this because it would allow the player to select a desired player among other players so that the player can enjoy a fighting with the selected player in a common game space (col. 1, lines 53-57).

Walker, Miura and Kim do not disclose a peer-to-peer network connection initiated by the first player, wherein the first player, upon receiving the communication information, initiates the peer-to-peer communication with the second player by using uses the received communication information.

However, Sen discloses a peer-to-peer network connection initiated by the first player, wherein the first player, upon receiving the communication information, initiates the peer-to-peer communication with the second player by using uses the received communication information (Figures 3 and 4, col. 4, lines 48-51, col. 5, lines 60-67, col. 7, lines 58-65, and col. 8, lines 10-50).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Sen's invention within Walker, Miura and Kim to include a peer-to-peer network connection initiated by the first player, wherein the first player, upon receiving the communication information, initiates the peer-to-peer communication with the second player by using the received communication information. One of ordinary skill in the art would have been motivated to do this because it would allow all the current players and the new player continue in the game session without any server involvement (col. 8, lines 45-48).

Regarding Claim 39, Walker, Miura, Kim and Sen disclose the limitations of Claim 38 above. Furthermore, Walker, Miura, Kim and Sen disclose wherein the information includes a user key assigned to the second authorized player by the game system, and which is used by the first player in the attempt to open the peer-to-peer connection with the second player, (Walker, Figure 3, element 316), thereby assuring the second authorized player that the first player's request to open the peer-to-peer communication comes from a trusted player (Walker, paragraphs 0194 and 0198).

Regarding Claim 44, Walker, Miura, Kim and Sen disclose the limitations of Claim 33. Walker, Miura, Kim and Sen disclose wherein the list is limited to players on a same team (Miura, col. 6, lines 1-60).

Regarding Claim 45, Walker, Miura, Kim and Sen disclose the limitations of Claim 33. Walker, Miura, Kim and Sen disclose wherein the list is limited to players playing a game within a same game

Art Unit: 2135

world and within a predetermined proximity within a virtual environment of the game world (Miura, col. 9, lines 1-10).

Regarding Claim 46, Walker, Miura, Kim and Sen disclose the limitations of Claim 33. Walker, Miura, Kim and Sen disclose the communication information includes a specific port address (Walker, paragraph 0111).

Regarding Claim 47, Walker, Miura, Kim and Sen disclose the limitations of Claim 33. Walker, Miura, Kim and Sen disclose the IP address comprises an internal IP address associated with a shared Internet connection (Kim, paragraph 0030 and Sen, col. 7, lines 50-67).

Regarding Claim 48, Walker, Miura, Kim and Sen disclose the limitations of Claim 33. Walker, Miura, Kim and Sen disclose wherein the list further lists at least one other player is both authenticated with the game server and that is currently not accessing the multiplayer game session (Sen, Figure 4, col. 10-50).

5. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker, Miura, Kim and Sen as applied to claim 33 above, and further in view of Neuman et al. "Kerberos: An Authentication Service for Computer Networks" hereinafter Neuman.

Regarding Claim 34, Walker, Miura, Kim and Sen disclose the limitations of Claim 33 above. Furthermore, Walker, Miura, Kim and Sen disclose wherein authenticating each player attempting to

access the multiplayer game comprises assigning each player a unique user key (Walker, Figure 3, element 316), but do not explicitly disclose wherein transmitting information about the second player from the server to the first player comprises transmitting the second player's unique user key to the first player, which is used by the first player in the attempt to open the peer-to-peer connection with the second player, thereby assuring the second player that first player's attempt to open the peer-to-peer communication comes from a trusted player participating in the multiplayer game hosted by the game server. However, Neuman expressly discloses wherein transmitting information about the second player from the server to the first player comprises transmitting the second player's unique user key to the first player, which is used by the first player in the attempt to open the peer-to-peer connection with the second player, thereby assuring the second player that first player's attempt to open the peer-to-peer communication comes from a trusted player participating in the multiplayer game hosted by the game server (Figure 1, Pages 34 and 35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Neuman's invention within Walker, Miura, Kim and Sen to include wherein transmitting information about the second player from the server to the first player comprises transmitting the second player's unique user key to the first player, which is used by the first player in the attempt to open the peer-to-peer connection with the second player, thereby assuring the second player that first player's attempt to open the peer-to-peer communication comes from a trusted player participating in the multiplayer game hosted by the game server. One of ordinary skill in the art would have been motivated to do this because it would allow the player to select a desired player among other players so that the player can enjoy a fighting with the selected player in a common game space (col. 1, lines 53-57).

Art Unit: 2135

6. Claims 35-36 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker, Miura, Kim and Sen as applied to claims 33 and 38 above, and further in view of Perlman (U.S. Patent 5,586,257) hereinafter Perlman.

Regarding Claims 35 and 40, Walker, Miura, Kim and Sen disclose the limitations of Claims 33 and 38 above Walker, Miura and Kim further disclose wherein if after receiving the communication information about the second player, the first player is unsuccessful in the attempt to establish the peer-to-peer communication with the second player (Walker, paragraphs 0194 and 0198), Walker, Miura, Kim and Sen do not disclose the method further comprises: (a) notifying the game server that the attempt by the first player to establish the peer-to-peer communication has failed.

However, Perlman explicitly discloses (a) notifying the game server that the attempt by the first player to establish the peer-to-peer communication has failed (col. 14, line 40 through col. 15, line 20).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Perlman's invention within Walker, Miura, Kim and Sen to include notifying the game server that the attempt by the first player to establish the peer-to-peer communication has failed. One of ordinary skill in the art would have been motivated to do this because it would provide the directly link the first computer with second computer (col. 4, lines 27-30).

Furthermore, Walker, Miura, Kim, Sen, and Perlman disclose (b) transmitting information about the first player from the game server to the second player, the information being required for enabling the peer-to-peer communication to be established between the first player and the second player

Art Unit: 2135

(Perlman, col. 17, 28-33); and (c) requesting the second player to establish the peer-to-peer communication with the first player (Perlman col. 4, lines 40-42 and col. 21, lines 45-55).

Regarding Claim 36, Walker, Miura, Kim, Sen, and Perlman disclose the limitations of Claim 35 above. Furthermore, Walker, Miura and Perlman disclose wherein if after receiving information about the first player, the second player is unable to establish the peer-to-peer communication with the first player, the method further comprises routing each communication between the first player and second player through the game server (Perlman, col. 14, line 40 through col. 15, line 20).

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Tran N. To whose telephone number is (571)272-8156. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2135

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. N. T./

Examiner, Art Unit 2135

/KIMYEN VU/

Supervisory Patent Examiner, Art Unit 2135